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International Convention on the Elimination of All Forms of Racial Discrimination

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Committee on the Elimination of Racial Discrimination

Consideration of reports submitted by States parties under article 9 of the Convention

Combined twentieth to twenty-second periodic reports of States parties due in 2014

Bulgaria*

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Annexes**

** Annexes can be consulted in the files of the secretariat.

I. Introduction (concluding observations 24, 25 and 27)

1. The report has been prepared in accordance with the Guidelines for the CERD-specific document to be submitted by States parties under Article 9, paragraph 1, of the Convention (CERD/C/2007/1) issued on by the Committee on the Elimination of Racial Discrimination (hereinafter referred to as the Committee).

2. Pursuant to the Concluding Observations (CERD/C/BGR/CO/19), adopted following the consideration of the fifteenth to nineteenth periodic reports, the Republic of Bulgaria presents herewith the consolidated twentieth, twenty-first and twenty-second periodic reports on the implementation of the International Convention on the Elimination of All Forms of Racial Discrimination. The report was prepared with the active participation of all institutions, dealing with cases of racial discrimination. It was approved by the National Coordination Mechanism for Human Rights, after being published for public discussions.

3. The information on the implementation of the concluding observations of the Committee on the Elimination of Racial Discrimination (CERD/C/BGR/CO/19) paragraphs 13, 15, and 18, has been presented to the Committee on 29 September 2010.

II. Progress achieved by the Government of Bulgaria (concluding observations 6, 7, 8, 9, 10, 20, 21, 22, 23, and 26)

4. During the period under review (2008-2014), Bulgaria adopted further measures to strengthen its legislation, administrative and judicial practices in order to achieve better implementation of the International Convention on the Elimination of All Forms of Racial Discrimination, as well as other international human rights instruments. The Republic of Bulgaria continued to pursue a consistent policy aimed at eliminating any racial discrimination in all its forms and manifestations and creating understanding among various racial, ethnic, religious and linguistic groups of the population. Furthermore, amendments have been brought to the national legislation, including as a result of transposition of European Union (EU) law.

5. In 2009, 2011 and 2015, amendments to the Penal Code (PC) were adopted in order to bring the national law in conformity with the international and European standards in the field of criminalization of the acts related to or/and based on racial discrimination. The above amendments to the PC were adopted also with the aim of implementing the standards of the Council Framework Decision 2008/913/JHA of 28 November 2008 to combat, by means of criminal law, certain forms and expressions of racism and xenophobia.

6. In conformity with the amendments to the Protection against Discrimination Act (PaDA), the responsibility of the state for prevention and intolerance to any direct or indirect discrimination has been strengthened and concretized.

7. In 2013, by a decision of the Council of Ministers (CM) a National Coordination Mechanism on Human Rights (NCMHR) was established. It is aimed at improving coordination at horizontal level among public authorities involved in the implementation of the tasks arising from Bulgaria's commitments to International Human Rights Treaties and other instruments. The NCMHR considers the desirability of signature and accession to new international agreements on HR and recommends amendments in the domestic legislation and administrative practices. The Minister of Foreign Affairs chairs the NCMHR. Its members are ministers, heads of state agencies and independent institutions, involved in HR issues. NGOs are also represented.

8. In 2014, the Government adopted a decision for one-time payment of compensations to all individual complains for which damages had been recommended by the UN Treaty Bodies involved in the universal instruments on HR. Meanwhile, a legal mechanism was set up for financial compensations under the recommendations of the Treaty Bodies on individual complaints. Thus, the state has been demonstrating its commitment to protect and mainstream the fundamental human rights and to improve the processes of implementing the highest human rights standards. Bulgaria continues to work for better coordination between the responsible bodies and stronger expertise. One of the individual complains was under the CERD Optional Protocol which demonstrates that the public is being informed on the procedure provided under article 14 of the Convention.

9. Regarding previous concerns voiced by the Committee on the Bulgarian judicial system and the fight against corruption, it must be taken into account that the reform of the Bulgarian judicial system is ongoing. The National Assembly adopted an Updated Strategy for Continuing the Reform of the Judiciary. Its aim is within the next 7 years to modernize the judiciary and to complete the reform, to achieve guarantees of independence of the court, by taking effective measures against corruption, political, and economic pressure.

10. Strategic Guidelines for preventing and combating corruption, and a new Anti-corruption Strategy have been adopted. The main emphasis in the Anti-corruption Strategy is the creation of an independent anti-corruption body. The new unit will function as a free standing state body. It will be independently funded. As a concrete measure taken in the fight against corruption committed by senior government officials, we should mention the creation of a specialized unit between the Prosecutor's Office, the State Agency for National Security and the Ministry of Interior (MoI).

11. The Prosecutor General of the Republic of Bulgaria has approved a package of measures aimed to counter organised crime and corruption. There is a single catalogue of corruption offences for reporting purposes. There is an organisation covering priorities for countering organised crime and corruption, as well as for interaction between the Supreme Prosecutor's Office of Cassation and the Supreme Administrative Public Prosecutor's Office. A new guideline on special supervision has been introduced. It is aimed at enhancing the efficiency of work on criminal proceedings against corruption offences and organised crime.

12. In order to strengthen the protection of human rights in general, the Republic of Bulgaria has acceded to a number of international normative documents. These include the UN Convention on the Rights of Persons with Disabilities[1], the UN Convention on the Status of Stateless Persons[2], the UN Convention on the Reduction of Statelessness[3], the Optional Protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment[4], the Amendment of art. 20, par. 1 of the International Convention on the Elimination of All Forms of Discrimination against Women[5], as well as the Council of Europe's Convention on the Protection of Children against Sexual Exploitation and Sexual Abuse[6]. In addition, the Council of Europe's Convention on Action against Trafficking in Human Beings has entered into force for Bulgaria[7].

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[1] On 15 May 2012, State Gazette No. 37, 2012, entered into force on 21 April 2012.
[2] On 7 August 2012, State Gazette No. 60, 2012, entered into force on 20 June 2012.
[3] On 7 August 2012, State Gazette No. 60, 2012, entered into force on 20 June 2012.
[4] On 14 April 2011, State Gazette, No. 34, 2011, entered into force for Bulgaria on 1 July 2011.
[5] Ratified by the National Assembly of the Republic of Bulgaria, on 27 July 2010, State Gazette, No. 62, 2010, deposited on 15 September.
[6] On 2 November 2011, State Gazette, No. 90, 2011, entered into force on 1 April 2012.
[7] State Gazette, No. 24, 2007, entered into force for Bulgaria on 1 February 2008.

13. On 2 March 1995, Bulgaria ratified the amendments to art. 8, para. 6 of the Convention on the Elimination of All Forms of Racial Discrimination. In April 2014, Bulgaria presented its last updated CORE document.

14. In regard with the recommendation concerning ratification of the International Convention on Protection of the Rights of All Migrant Workers and members of Their Families, the Republic of Bulgaria shares the view that the fundamental human rights are enshrined in the United Nations Civil and Political Rights and the UN Economic, Social and Cultural Rights Covenants. These rights apply as well directly to all migrants in Bulgaria. In addition, the State has been taking an active part in the process of formation of the EU policy in the sphere of labour migration. The national legislation in place ensures the necessary legal frame to guarantee and defend the rights of labour immigrants, including the right of members of a family to be reunited. Thus, it guarantees most of the rights contained in the Convention and shares its objectives.

15. The Republic of Bulgaria pays its annual contribution to the UN and whenever possible gives voluntary contributions to its agencies and different bodies.

16. Bulgaria has been paying special attention to the rise of racism worldwide and has attended the 2009 Durban Review Conference.

17. Concerning the need for further clarification of the concept of "State unity", mentioned in the last report, it should be noted that the concept of "unity", as proclaimed by the Constitution, corresponds to the sovereignty and territorial integrity of the state. This includes the inviolability of civil and political rights of Bulgarian citizens and provides no limitations to the rights of persons belonging to minority groups.

18. In February 2011, the National Statistical Institute carried out a regular population census. Respective data on ethnic self-identification, mother tongue and religion were provided by persons voluntarily and freely. Those not wishing to provide such data are included in the "Not wishing to self-identify" category. When persons express their wish to answer such questions, they supply the necessary information on a voluntary basis, self-identifying their belonging to a particular ethnic group, religion, and their mother tongue. The results regarding the composition of the population by ethnic self-identification, mother tongue and religious denomination are presented in the tables in Annex 1.

III. Responses to concerns and recommendations of the Committee on the Elimination of Racial Discrimination

A. Paragraph 11: Improving representation of minority groups in public services and preventing and combating all forms of discrimination in the selection and recruitment process in the administration, the army and the police.

19. Pursuant to Art. 6, Para 2 of the Constitution of the Republic of Bulgaria, all citizens shall be equal before the law: no restriction of the rights or privileges shall be allowed if based on race, nationality, ethnicity, gender, origin, religion, education, convictions, political affiliations, personal or public standing, or property status.

20. Section I of Chapter II of the Protection against Discrimination Act (PaDA) regulates the protection in exercising any kind of work. The Act introduces the concept for encouraging measures aiming at achieving full equality and protection against discrimination on the ground of ethnicity. Article 24 of the PaDA provides the following measures: it obliges the employers to undertake encouraging actions in order to guarantee

equal opportunities to all ethnic groups upon hiring and regarding the professional development of workers and employees belonging to the less represented ethnic group. The aim of this regulation is to ensure the establishment of an equal manpower diversity, in which all ethnic groups shall be represented. The employer is obliged, in cases of equal circumstances, to encourage the professional development and participation of workers and employees, belonging to a certain ethnic group. This includes all cases when they are less represented among the workers or employees performing certain work or holding certain positions.

21. The same principle is also stipulated in Article 38 of the PaDA. It provides that the state and public bodies, as well as the local self-government, shall implement a policy promoting representative participation of persons belonging to ethnic, religious and linguistic minorities in management and decision making.

22. According to Art. 8, para. 3 of the Labour Code, in the course of exercising labour rights and duties, no direct or indirect discrimination shall be allowed on grounds of ethnicity, origin, gender, sexual orientation, race, skin colour, age, political and religious convictions, affiliation to trade unions and other public organisations and movements, family and property status, existence of mental or physical disabilities, as well as differences in the contract term and the duration of working time. Hence, it is clear that the law does not permit direct or indirect racial discrimination in the realization of the right to work.

23. At the same time, art. 22 of the Ministry of Interior Act, provides a prohibition of the collection of information on citizens solely on race or ethnic origin, on political, religious, or philosophical beliefs, on membership in political parties, organisations, associations with religious, philosophical, political or union purposes, as well as regarding their health or sexual life. Pursuant to the above quoted legal provisions, the information funds of the MoI, including the Human Resources Directorate of MoI, do not collect, process and store information on the employees under the indicated characteristics, including their ethnic origin, as well.

24. In compliance with the Bulgarian legislation, the initial recruitment to service in the MoI and the career development of employees is organised under clear and specific criteria. This includes evaluation and procedural rules for recruitment, career development and termination of civil service contracts, based on transparency, publicity and the principle of competition. The prohibition of discrimination is a basic principle in the conduct of the procedures for recruitment in the MoI, as well as with respect to the career development of the employees (Art. 141 of the MoI Act). The MoI provides equal opportunity to all Bulgarian citizens to apply and to take positions in MoI, regardless of their religion, ethnicity or social origin.

B. Paragraph 12: Strengthen the role of the Commission for Protection against Discrimination (CPD), in receiving complaints, carrying out studies, applying penalties and assisting victims of acts of discrimination, the independence of the Ombudsman and the role of the National Council for Cooperation on Ethnic and Integration Issues (NCCEII)

25. The CPD has established a network of Regional Representative Offices (RROs) – at present 15, and works closely with NGO partners. During the past three years there has been an increase in the number of proceedings brought before the CPD. The proceedings before the Commission are less formal in comparison to the court proceedings, shorter in time and free of charge. Special mechanism for compensation of damages is established

upon Commission's decision, which has already entered into force, on determination of the infringement committed and the violator.

26. In 2011, the CPD and the Ombudsman were accredited by the International Coordinating Committee and its Subcommittee on Accreditation at the UNHCHR with the status "B" as **National Authority on Human Rights**.

27. Since April 2011, by a decree of the CM the ethnic issues have been transferred from the Ministry of Labour and Social Policy (MLSP) to the Government administration. The policy related to demographic development has been transferred to the portfolio of the MLSP. The **National Council for Cooperation on Ethnic and Integration Issues (NCCEII)** has succeeded NCCEDI as a coordinating and consultative body, assisting the Government in formulating the policy on the integration of minority groups. As a rule, the Chairman of the NCCEII is always a deputy prime minister.

C. Paragraph 13: Integration of Roma children into mixed schools

28. The National Strategy for Roma integration puts education first among the priority areas of the integration policy. The state provides equal access to education for all children up to the age of 16.

29. The priority of the Ministry of Education and Science, the regional education inspectorates and the Municipalities is to create conditions for equality and adaptation of children and students of Roma origin in the educational environment. For the integration of children and students from the ethnic groups, including children of Roma origin, the educational system undertakes preventive, interventional and compensatory measures.

30. There has been a serious increase in the efforts for the integration of children of Roma origin in the general education system. With the amendment of the Public Education Act, mandatory two-year training before entering the first grade has been introduced for children at the age of 5. The measure aims at providing equal start for every child, including children from vulnerable ethnic communities. Trainings for teachers for working in a multicultural educational environment are the usual practice nowadays. The competent authorities supervise kindergartens and schools to prevent forming of ethnic groups and classes.

31. In August 2010, the Bulgarian authorities officially launched the implementation of the Social Inclusion Project (SIP). The main objective is to promote social inclusion through increasing the school readiness of children below the age of 7. The target groups are low-income and marginalized families, including vulnerable ethnic groups, in particular Roma, as well as children with disabilities and other special needs.

32. One of the most important parts of the SIP is related to integration of children in kindergartens and pre-school groups/classes. This includes the creation of places in kindergartens by building new or renovating existing kindergartens. Among the measures, there are those, such as, complete or partial reduction of the fee for kindergarten, individual and group work with children and parents, including with children and parents who are not vulnerable. Free transport is provided for children to kindergartens and back.

33. The Government, through the Ministry of Education and Science adopted a Strategy for educational integration for children and students from ethnic minority groups (2015-2020). An Action Plan for execution of the Strategy has also been adopted. This is the first sector document contributing to the development of Bulgarian education in the context of educational integration of children and students from ethnic minorities.

D. Paragraph 14: Further development of structures and means for teaching to ethnic communities of their mother tongues

34. The numbers of people studying their mother tongue can be consulted in Annex 2.

35. The Bulgarian Constitution stipulates that "Citizens whose mother tongue is not Bulgarian shall have the right to study and use their own language alongside the compulsory study of the Bulgarian language". The study of mother tongue is possible in all Bulgarian schools in the form of Obligatory Eligible Subject and/or Freely Eligible Subject. Parents need to file an application for the particular language with the school administration. Schools, which specialize in different languages have been presented in the previous report.

E. Paragraph 15: Measures to improve living conditions of Roma in respect of access to work, health care, housing and education

Right to work

36. The *National Roma Integration Strategy of the Republic of Bulgaria 2012-2020* (NRISRB) has been developed as an omnibus document, strengthening the comprehensive approach of the whole package of documents that exist in this area. These include: *the Framework Programme for Integration of Roma in the Bulgarian Society, 2010-2020, the National Action Plan for the Decade on Roma Inclusion, 2005-2015, the Educational Strategy for Children and Pupils from Ethnic Minorities, the National Programme for Improving the Housing Conditions of Roma, 2006-2015, the Health Strategy for Disadvantaged Persons belonging to minorities, etc.*

37. The document was elaborated by a process of genuine and large scale participation of Roma representatives, through the mechanisms of the Commission on Roma Integration at the National Council for Cooperation on Ethnic and Integration Issues (NCCEII). The strategy is focusing specifically on measures in six priority areas, such as education, employment, health, housing, rule of law and non-discrimination, culture and media. It has been elaborated in close cooperation between relevant ministries, NGOs, including Roma representatives, researchers and academicians, as well as representatives of international organisations. The strategy uses an integrated territorial approach. It allows the simultaneous undertaking of measures across the territory of the country. Is also unifies the resources under different priorities, taking account of the specific local needs, particularly the needs of the most disadvantaged people. The aim is to bring about visible changes in the individual settlements/neighbourhoods.

38. The Strategy's Action plan (AP) is structured to be implemented in two phases: 2012 - 2014 and 2014 - 2020. The NRISRB and the AP were adopted by the Government and approved by the NA. In 2012, regional and local strategies for the integration of Roma and APs to them were also elaborated. Currently, there are 28 regional strategies and 220 municipal APs in place, developed on the basis of analysis of the needs and specifics of local communities.

39. The National Poverty Target is implemented by making efforts aimed at active inclusion in the labour market, development of intersectoral services for social inclusion and ensuring sustainability and adequacy of social payments. A number of serious measures have been taken to secure the active labour market policy actions for integration of disadvantaged groups. They include activation, individual services on the labour market, in order to better combine professional and personal life, better employment flexibility and security, prevention of cases of dropping-out from the labour market, development of a regional approach in the implementation of the policy in the employment area.

40. Since 2008, there has been an "Activation of Non-active Persons" National Programme. The aims are to activate and include the discouraged and inactive persons in the labour market by means of providing services in conformity with their individual profile. The programme mediators hold information campaigns, individual and group meetings with these people. Meetings with social partners, NGOs and employers are regularly held, to bring about their cooperation in finding work for the target groups.

41. Concerning the people living in poverty, the National Programme for Reforms has a goal to reduce their number. In 2012 and 2013, two key strategic documents were adopted. They are the National Development Programme Bulgaria 2020 and the National Strategy for Reducing Poverty and Promoting Social Inclusion 2020.

42. The employment policy targets the following groups: unemployed youth up to 29 years, unemployed over 50 years, long-term unemployed, disabled unemployed, unemployed Roma, inactive persons, etc. Providing people with equal access to the labour market is a key aim in Bulgaria's path towards reducing inequalities.

43. The Agency for People with Disabilities continued financing programmes for their employment.

44. Specific measures were implemented to create conditions for increased employment of unemployed Roma by promoting entrepreneurship, education and appropriate living conditions. This is a standing point for their equal inclusion in society.

45. The National Employment Agency organizes **specialized job fairs for Roma people** in regions with denser Roma population. Their aim is to help the unemployed Roma people by facilitating their access to information about vacancies and providing contacts and contracts with employers. In between 2006-2014, 44 job fairs were conducted. As a result, 3 980 Roma people were recruited.

Right to housing

46. The activities on the implementation of the National Programme for Improvement of the Housing Conditions of Roma in the Republic of Bulgaria (NPIHCRRB) (2005-2015) have continued. They have been focused on the compilation of cadastre maps and registers as a basis for urban development plans. Opportunities for legalising illegally built **houses** have also been considered. In 2011, 16 759 Roma and in 2012, 30 930 Roma benefitted from the implemented projects. Thus, they benefitted better educational, social, cultural and physical infrastructure. People living in social housing have been provided with a "social package", such as complementary services for access to employment, education and social inclusion.

47. Local authorities have been implementing urban regulations of residential areas with predominant Roma population with a view to includie new zones for housing development. Funds from the state budget have been allocated for improving the existing and developing new infrastructure in Roma residential areas. Considerable funds have been invested in the rehabilitation and construction of roads, water supply and sewage, under the Rural Development Programme. This specifically includes areas with compact Roma population.

48. Funds under the *Operative Programme "Regional Development"* have been particularly allocated for construction of municipal social housing. The main contribution for the objective "Right to housing" has a grant scheme, "*Support for provision of contemporary social* homes *for accommodating vulnerable, minority and low-income groups of the population, as well as other deprived groups*". The aim of the scheme is to assist the social inclusion of disadvantaged and vulnerable groups by increasing their standard of living and improving the quality of housing in urban communities. Four municipalities are beneficiaries under the scheme with a total of 36 integrated projects.

Their main activities are focused on renovation and reconstruction of existing buildings and construction of new ones. Eligible target groups under the scheme include homeless people and/or dwellings in very bad living conditions; parents of children, including minors, large families, children with poor health and disabilities; people at risk of poverty and social exclusion.

49. The activities undertaken for improving the housing conditions of Roma in the area of technical infrastructure in residential areas with compact Roma population have been focused on building and/or reconstruction of water supply systems, building sewerage, building and/or reconstruction of street networks, public works. Among them, the focus is on provision of drinking water with controlled quality and drainage of sewer and surface waters all of which relate to the improvement of the sanitary conditions and health status of the population. The building of the road network provides conditions for ensuring the transport services to and for the Roma residential areas. They also facilitate the access of specialized vehicles (fire protection and accident prevention engines, ambulances and waste collection trucks), commercial services, etc. This facilitates the access of Roma children to schools.

50. Financial resources have been allocated to 25 municipalities for the construction of water supply network and sewerage network. A number of sites have been completed, related to the reconstruction of existing and the development of new sewerage and water supply network. Investments have been made in rehabilitation and/or development of roads, water supply and sewerage. This has been done under the Rural Development Programme, including in nucleated settlements with compact Roma population.

Right to public health

51. In 2005, a Health Strategy for Disadvantaged Persons Belonging to Ethnic Minorities (2005-2015) was adopted to ensure the health status of disadvantaged groups. It is the as part of the National Health Strategy. The Health Strategy is guided by the broader social objective of improving quality of life and welfare of all Bulgarian citizens, to ensure the complete development of all, regardless of their social origin, ethnic or religious affiliation and/or gender differences.

52. The 'Health in All Policies' approach is enshrined in the following documents: National Health Strategy 2008-2013, in the Health Strategy for disadvantaged persons belonging to ethnic minorities 2005-2015, in the Framework Programme for Roma Integration into Bulgarian Society 2010 - 2020, in the National Action Plan for the international initiative "Decade of Roma Inclusion" 2005-2015, as well as in other strategic and programming documents.

53. The main Priorities of the Ministry of Health (MH) for Improving the Health of the Roma Population for the period 2014-2020 are the following:

- Preventive care for mothers and children;
- Equal access to health services for disadvantaged persons from minority groups;
- Strengthening and expanding the network of health mediators;
- Ensuring financial sustainability for the implementation of screening and preventive health programs with funds from state and municipal budgets and European funds;
- Expanding the network of health and social centres and strengthening the capacity of institutions and NGOs for active participation in health programmes in partnership with health professionals, GPs, medical centres, etc.;
- Training of medical professionals of Roma origin;

- Regular survey of the health status of Roma population, analysis and use of data for health status assessment and strategic planning.

54. Of significant importance are also the achievements relating to health mediators. The position of 'health mediator' was included in the National Classification of Occupations and Positions in Bulgaria. A training program was developed. In order to improve the access to healthcare of vulnerable groups specific services were developed: the health mediator's profession has been institutionalized and in 2013 there have been 130 health mediators in 71 municipalities. Health mediators concentrated their work in the following areas: maternity and child health care, drug prevention, inclusion of parents in the process of adaptation of children to the requirements of the educational system, services for career guidance. In 2014, the number of health mediators increased to 150 in 79 target municipalities in 25 regions in the country. Funds are allocated for extending the network of health mediators.

55. A number of health and social centres have been established. They are managed by local Roma organisations working with the Roma communities. They have been developed in the Roma residential areas in eight cities. 23 mobile cabinets for medical check-ups and consultations have been operating in Roma neighbourhoods with focus on sexual and reproductive health, child immunization and health education.

Right to education

56. In order to achieve integration of children and students from the ethnic groups, including children of Roma origin, the educational system undertakes preventive, interventional and compensatory measures.

57. Creating conditions for equality and adaptation of children and students of Roma origin in the educational environment is a priority of the Ministry of Education and Science, the regional education inspectorates and the Municipalities.

58. Kindergarten and school rules, as well as the job descriptions of pedagogical specialists and non-pedagogical personnel, include provision and clauses intended to guarantee tolerant attitude towards children from the ethnic communities. Their aim is to boost a more favourable school environment.

59. Policies and programs for early childhood development are an essential element of support for vulnerable children and their families.

60. The unfavourable demographic trend in Bulgaria leads to the desertification of the rural areas and closing their schools. In view of ensuring the completion of the obligatory education of the children up to the age of 16, from the urban and rural regions, the Public Education Act regulates the creation of central and protected schools. A "central school" means a school, which is located in the nearest town or village at the territory of the municipality, where the students from the towns or villages in which there are not any schools are studying. A "protected school" is a school, which if closed, the access to education would be hindered. Because of to that this category of schools cannot be closed.

61. Trainings for teachers for working in a multicultural educational environment are conducted under projects realized by the Centre for Educational Integration of Children and Young People from the minorities (CEICSEM) and the Directorate General "Structural Funds and International Educational Programmes" at the Ministry of Education and Science. They teach application of adequate psychological and teaching approaches in accordance with the cultural ethnicity of the children, of appropriate forms of teaching interaction and with priority use of interactive methods and technology for working with children and parents. This also includes parents in activities, aimed at changing the attitude for joint educational activity in kindergartens and schools.

F. Paragraph 16. Ill-treatment and excessive use of force by police against persons from minority groups

Ill-treatment

62. The powers of the police officers are stipulated in the MoI Act. They are also included in the Rules on the Structure and the Activities of the MoI; the Instruction on the order for detention, equipping the premises for accommodation of detainees and maintaining the order therein, as well as in the Code of Ethics on the conduct of MoI state officials.

63. The MoI Act (Articles 85-88) expressly and exhaustively regulates the hypothetical cases in which physical force and auxiliary means may lawfully be used. This also includes the lawful use of firearms as a last resort. In 2012, the National Assembly of the Republic of Bulgaria adopted the amendments to the MoI Act. They introduced the standard "absolute necessity" in the use of weapons, physical force and auxiliary devices by the police authorities. The law stipulates interdiction of physical force and auxiliary devices with regard to specific categories of persons, such as pregnant women and obvious minors.

64. The Instruction for the order of use of auxiliary means by officials of MoI regulates the order for reporting the use of auxiliary means. In all cases of use of auxiliary means the official who used them shall prepare a written report and/or the manager who ordered their use.

65. Police officers are obliged, during interrogation and interviews with detained persons, not to allow their mistreatment with a view of getting confessions and information. They shall also report any such case immediately after learning about it so that guilty officers shall bear disciplinary and penal liability. Interrogation facilities have surveillance cameras as guarantees for the prevention of cases of violence, mistreatment and torture of persons detained by the police.

66. All accidents and casualties shall be reported immediately in writing. Every accident or casualty is followed by an investigation to establish the reasons and circumstances for their occurrence. The officials who have committed disciplinary violations, which contain data for crimes, shall be sanctioned in a disciplinary procedure. Copies of the collected evidence shall be sent to the respective competent Prosecutor's office.

Complaints directed against police

67. The MoI has taken all necessary practical measures to eradicate the root causes of alleged violations of the law by police officers. The MoI has also taken such measures as the above, to prevent violations in the future.

68. "Inspection" Directorate within the administrative structure of the MoI shall have competence to investigate and proceed with complaints against any Ministry employee or police officer for alleged violations of the law. Its independence from other structures of the Ministry is statutorily guaranteed. The Directorate is subordinated directly to the Minister of Interior.

69. Inquiries are conducted in all cases involving alleged violations of the law by police officers. Where such violations are proved, their perpetrators, and, where necessary, their immediate superiors shall be sanctioned.

70. This is a mandatory procedure which is obligatory followed regardless of the ethnic background of the victims of the alleged violations. In addition, a guarantee for conducting an independent investigation is included in the provision of article 194, para.1, point 2 of the Criminal Procedural Code (CPC). According to it, the investigation of cases involving

alleged crimes by public officials of the MoI in their capacity as investigating authorities, shall be conducted by examining magistrates and not by investigating policemen.

Human rights commission to the Ministry of Interior

71. The *Permanent Commission on Human Rights and Police Ethics (PCHRPE)* works in close cooperation with the Ombudsman of the Republic of Bulgaria, the CPD, the NCCEII, NGOs and relevant media. The PCHRPE implements joint projects. These projects are aimed at consolidating positive police practices and harmonizing the standards of police conduct with the international standards and best practices in the field of human rights. All activities of the Commission are organized in accordance with work plans, which are annually updated.

72. The main activities cover actions such as: monitoring of the compliance with the rights of persons detained in the branches of the MoI; consideration of signals alleging violation of human rights and freedoms of citizens by officials of the MoI; elaboration of legislative changes concerning the use of firearms by police officers as to ensure full compliance with the standards of the UN human rights treaties and other international human rights instruments, such as the European Convention on Human Rights and other relevant documents of the Council of Europe; thematic training in the field of human rights protection, etc.

73. In 2014, a New Code of Ethics was approved covering the behaviour of the civil servants of MoI. With its publication in the State Gazette the Code of Ethics became publicly accessible. It contributed for the strengthening of civil control over the activities of MoI. All civil servants have signed a declaration to confirm their knowledge of the Code of Ethics.

74. Article 39 of the Code of Ethics prohibits discrimination based on gender, race, religion, education and beliefs, political affiliation, opinion, national or social origin, ethnicity, health, age, sexual preferences, personal and social standing, property situation or on any other principle, established in the law or in any international treaty, to which the Republic of Bulgaria is party.

G. Paragraph 18: Racist stereotypes and hatred towards persons belonging to minorities in press and media

75. The forming of positive attitudes towards citizens belonging to any ethnic group, and addressing any prejudices in this regard, is generally practiced in Bulgarian society. In this context, important measures have been taken to encourage the promotion of tolerance and cultural pluralism. The Bulgarian authorities consistently combat stereotypes and prejudices, if and when such are manifested against persons belonging to any ethnic, religious, linguistic or sexual minority group.

76. The Bulgarian authorities closely monitor all alleged manifestations of racism and intolerance against any person under their jurisdiction, and, if necessary, resolutely take steps to punish such acts.

77. For the implementation in practice of an established culture of tolerance, the Council for Electronic Media (CEM) continues to apply regulatory measures. They are the following: controlling compliance with licenses and requirements for radio and television activities; monitoring the adherence to the Radio and Television Act; imposing sanctions in cases of established and proven violations of the Radio and Television Act; delivering statements and declarations on problematic cases.

78. Within its powers, the CEM continues to focus on manifestations of various kinds of discrimination or hostilities in the media. The media monitoring of the regulator shows that the majority of Bulgarian electronic media and the largest of them, in terms of audience share, have a balanced approach towards the topics of minorities, refugees, and persons with different sexual orientation.

79. CEM circulates declarations against hate speech and the use of insulting language. It is an active participant in public discussions, dedicated to the problem. Meetings with the television and radio channels managements are initiated, when such problems occur. CEM often reminds the public and journalists that the freedom of speech shall not entail manifestations of racism or statements inciting towards hatred, xenophobia, and other forms of intolerance and discrimination. The Bulgarian audiovisual regulator is also one of the initiators of the agreement between the media and the political parties not to use hostile and discriminatory speech, which is signed prior to the elections.

H. Paragraph 19: Training courses and seminars

80. The authorities have continued their consistent policies aimed at preventing and eliminating any form of discrimination paying special attention to training courses and seminars dedicated to police officers, prosecutors and judges.

81. Under the project "Combating discrimination for a fair society", the CPD has implemented five national training seminars designed for lawyers with civil profile, students, representatives of key institutions in the legislative process, judicial authorities, officials of the MoI, journalists from national and regional media. The main topics of the seminars have been, such as: gender equality and European media policy; hate speech in the media and politics; hate speech and hate crimes and social trend towards different ethnic groups in Bulgarian society

82. CPD has launched the implementation of a project "Improvement of Penitentiary Staff's Capacity for Prevention of Discrimination and Protection of Human Rights through training based on European standards". The main objective of the project is to contribute to the improvement of the competence of the penitentiary staff through training and updating of programs for initial/continuing training in compliance with the European standards. It also includes transfer of the Norwegian experience in protecting human rights and non-discrimination, including the work with Roma population.

83. In compliance with its mandate, CPD has been organising annual Workshops for Police officers. It has been training policemen from all District Police Directorates in combating and preventing racial discrimination against persons from minorities and protecting the human rights of those under detention.

84. During the period under review, the competent structures of MoI have strengthened their activities for improving the effectiveness of the police officer work in a multiethnic environment. The topic of hate crimes prevention has been integrated in the curriculum of the MoI Academy. A new discipline, namely, "Protection from Discrimination", has been introduced.

85. Appropriate training has been provided in respect of issues pertaining to combating and preventing discrimination. The topic is a priority in the education and qualification programmes of the MoI Academy. The police officers are acquainted with the decisions of the European Court on Human Rights, in the framework of the discipline "Human Rights Protection". The human rights subject is present in all full-time curricula of the National Institute of Justice (NIJ) for initial and continuing training of magistrates. They include a

training module concerning Article 14 of the ECHR (prohibition of discrimination) and the related Bulgarian legislation and case law.

86. In 2011, the MoI started a project "European police and observance of human rights" in partnership with the Belgian Federal Police, Criminal Police of the German province Baden-Württemberg, the Warsaw police and the CPD, the Helsinki Committee – Bulgaria and the Centre for Study of Democracy. The project is directed at overcoming the stereotypes in the work of police officers and at forming a new professional behaviour and attitude towards citizens, in the context of protection of human rights.

87. Under the Memorandum of Understanding, between the MoI and the OSCE Office for Democratic Institutions and Human Rights, the Academy of the MoI organized trainings for the law-enforcement on hate crimes. A manual has been prepared which is used by the trainers in the conduct of professional on-the-job training for MoI employees.

88. The NIJ has published and circulated a practical guide, entitled "Application of Fundamental Rights by the Courts", to all judicial authorities. It is available on the Internet site of the NIJ. On the initiative of the CPD, NIJ has taken part in the compilation of a collection of "Case Law Regarding the Application of the Act on the Protection of Discrimination".

89. The NIJ has held training sessions on ECHR, in cooperation with the CE, and with the participation of judges from the ECtHR, prosecutors and investigators. The implementation of the Project entitled "Increasing the capacity of the judiciary and training on the ECHR" has been subsequently launched. The NIJ includes a training module in non-discrimination, under the ECHR, the relevant Bulgarian legislation and case law. In 2013-2014, NIJ organized 27 events dedicated to issues related to HR. 900 judges, prosecutors, inspectors, investigators, court officials, experts and officials from the MJ and MoI, and NGOs representatives took part in them. Through exchange with the Netherlands, a multiannual training programme "Police, ethics and HR" with a total of 279 trainings has been conducted for 4 803 police officers. A toolkit has been developed which is used in the current on-the-job training.

90. In the period 2009-2014, under the Norwegian Financial Mechanism, the MoJ carried out two projects with activities, concerning the fight against discrimination. Within the framework of the project "Increasing the Capacity of *the Judiciary and Training on ECHR"*, implemented by the NIJ, several regional trainings under a module on non-discrimination have been carried-out. The second project under the Norwegian Financial Mechanism is named "*Improving Access to Legal Aid for Vulnerable Groups, Particularly Roma, via the Implementation of a Pilot Scheme for "Primary Legal aid Hotline" and Amendments to Legislation"*. It is implemented by the National Legal Aid Bureau. The overall objective of the project is the implementation of pilot mechanisms for the provision of "primary legal aid" and preparation of draft amendments to pieces of legislation with a view to improve the access of vulnerable groups to primary legal aid.

IV. Information relating to articles 2-7 of the Convention

91. Relevant information by article by article is provided below. It focuses on major developments and new issues in the period under review (in so far as these have not already been dealt with in the answers to the concluding observations).

A. Article 2

Domestic legislation

92. During the period under review (2008-2014), the Republic of Bulgaria continued to pursue a consistent policy aimed at eliminating any racial discrimination in all its forms and manifestations and creating understanding among various racial, ethnic, religious and linguistic groups of the population. Amendments have been brought to the national legislation, mainly the PC, the CPC, the PaDA, the Ombudsman Act, etc.

93. The *Responsibility of the State and Municipalities for Damages Act* was amended in 2012 (State Gazette № 98/2012). The amendments ensure the creation of national legislation which would allow the affected persons to receive compensation for the damages caused through violation of a right conferred by the Convention for the Protection of Human Rights and Fundamental Freedoms (ECHR) committed by the State or its authorities or officials.

94. In 2013, the Legal Aid Act was amended by widening the scope of socially disadvantaged groups, having effective access to justice. These include children at risk, victims of domestic and sexual violence, victims of human trafficking, and persons looking for international protection. To meet the needs of socially disadvantaged people and those from socially vulnerable groups, the National Legal Aid Bureau (NLAB) opened a "Legal Aid Hotline" in October 2013. It also created Regional Legal Aid Centres for advice in the cities of Vidin and Sliven. Legal advice is provided free of charge by telephone or on the spot. The new activities of the Bureau are performed with the financial support of the Norwegian Financial Mechanism (NFM) 2009 – 2014 in partnership with the Open Society Institute and the Council of Europe.

95. In 2014, a Strategy for Legal Aid Development and Improvement for the period 2014 - 2019 was adopted. The focus is on control over legal aid provision, improvement of legal aid to children who are victims of crime and traffic, refugees and other citizens from vulnerable social groups through trainings of lawyers, delivered jointly with NGOs.

96. The most important amendments to the Judicial System Act (JSA), introduced in 2011, strengthened further the institutional capacity of the Supreme Judicial Council (SJC), the Inspectorate of the Council and the National Institute of Justice. The successive amendments of the JSA in 2012 address the issues of publicity and transparency when electing members of the SJC. They establish a procedure for assessment of complaints by the SJC Inspectorate against violation of the right to have the case assessed and decided in a reasonable time.

97. In May 2012, a new Act on Forfeiture on the Exchequer of Unlawfully Acquired Assets has been adopted. This Act provides for confiscation of illegal assets through a procedure in civil courts which can be launched for the initiation of judicial investigations for a number of serious crimes and upon certain administrative infringements. The Act provides for the establishment of the Commission for Forfeiture of Unlawfully Acquired Assets – specialised body which identifies unlawfully acquired assets with the assistance of local units and local authorities. The Commission was established in early 2013.

Ombudsman, Commission for Protection against Discrimination (CPD), National Council for Cooperation on Ethnic and Integration Issues (NCCEII)

98. The last changes to the Ombudsman Act provide that the **Ombudsman** is acting as the National Preventive Mechanism (NPM) in accordance with the OP to the Convention against Torture and other Cruel, Inhuman or Degrading Treatment or Punishment. The

functions of the Ombudsman as NPM have been facilitated by the establishment of a new Directorate.

99. The amendments to the Ombudsman Act of 2009, 2010 and 2012 broadened the competence of the National Ombudsman. The capacity of the Ombudsman has been strengthened. His/Her extended powers include: presenting opinions to the Council of Ministers and the National Assembly of the Republic of Bulgaria on draft laws concerning HR protection and on the ratification of international human rights treaties; referrals to the Constitutional Court and protection of the rights of the child; broad powers in relation to the places for persons deprived of their liberty or places where persons are detained.

100. Following the amendments to the Ombudsman Act, not only citizens but also non-for-profit organizations, working in the field of human rights protection, may lodge complaints with the Ombudsman.

101. The CPD continued to organize and implement information measures among different target groups, such as traditional annual seminars for youth, lawyers, police officers, media, syndicates and labour organisations. The Commission issued a series of publications: brochures, manuals, etc., in order to promote the anti-discrimination legislation and to improve its implementation in practice. The CPD has issued surveys on "Prejudice and Discrimination against Immigrants and Refugees" and "Prejudice and Discrimination against Minority Children and Children with Disabilities in Education System" (2009), "Prejudice and Discrimination in school books, appliances, educational programmes and plans in preliminary and primary education" (2011) and "Study and evaluation of impact of economic crisis and budget cuts on vulnerable groups" (2014). A further National Study on Equality and Discrimination was conducted for the 2007-2010 period. The studies, referred above, show that:

- The main grounds for discrimination are disabilities (60-70 %), age (13-14 %) and ethnicity (8-9 %). Ethnic origin as a factor for discrimination has been designated mainly by the Roma (25 %) and the people from Turkish origin (12 %), as opposed to 6 % of the Bulgarians;
- Different or negative attitude is rarely based on religion (less than 6 %);
- The media are the main source of information on discrimination. They often have decisive influence on the society perceptions;
- In some instances, health services can be difficult to access. This is not based on discrimination, but is rather due to infrastructural reasons;
- There is underestimation of discrimination as a social factor. It means that there is an understanding that people from certain vulnerable groups are expected to perform equally good with the others without special aid and support. In recent years, the social awareness is rising.

102. During the initiative "The Open Info Days" CPD Regional Representatives offer advices and assistance in filing a case in distant municipalities. There is an increase in the number of complaints and signals lodged with the CPD. This is a result of the awareness-raising efforts of the Regional Representatives. CPD Regional Representatives' active and constructive involvement in preventive measures has further strengthened the CPD's positions as an independent body for protection against discrimination. Recently, the Regional Representatives have increased the collaboration and meetings with representatives of ethnic minority's NGOs and communities.

103. A book has been published, entitled "Methodology for collecting and analyzing policies in the field of integration of immigrants", as a result of a project "Harmony in Diversity". Under the toolkit of the main European values of equal opportunities and non-

discrimination (mentioned before), the CPD added an analysis of policies for integration of immigrants in the Republic of Bulgaria.

104. Since its establishment of the CPD, until the end of 2014, it has received 8079 complaints and signals, 2884 case files have been instituted and 269 decisions on cases of alleged discrimination on the grounds of ethnicity have been decreed.

105. The NCCEII consists of representatives of the competent ministries and state institutions, NGOs of citizens belonging to ethnic minority groups, and NGOs working for the integration of the ethnic minorities in the society. As a whole, the NCCEII is a central institution for carrying out consultations and coordinating the activities with respect to ethnic and integration issues as part of the national policy. The Secretariat of the Council assists administratively in the realisation of this task.

106. As one of its primary tasks, the NCCEII deals with the conduct of extensive public consultations on normative, strategic and planning draft documents, related to the implementation of the integration policy.

107. The NCCEII coordinates and controls the implementation of the National Action Plan on the National Roma Integration Strategy of the Republic of Bulgaria (2012- 2020) and the Decade of Roma Inclusion 2005-2015. In the beginning of the 2014, an ad-hoc body was set up at the NCCEII. It is the Commission for the Implementation of the NRISRB (2012-2020).

108. The NCCEII's Secretariat is the National Roma Contact Point of the Republic of Bulgaria. The Secretariat is a unit within the administration of the Council of Ministers.

109. By virtue of its internal rules, the NCCEII provides methodological assistance to national and municipal authorities regarding the prevention of interethnic conflicts. It also coordinates the activities of the institutions, represented in the National Council, in their work against racism and xenophobia. The Council organises forums for extended public consultations with all parties concerned, in the process of elaboration, discussion and adoption of decisions on the strategic, planning, and programming documents.

CPD Decisions

110. Among the CPD notable decisions is *Decision No. 193/8 September 2010 on case file 115/2009 of CPD's Five-Member Panel.* The case was initiated, following a complaint, lodged by A.A.B., Mayor of G. Municipality vs. Y.G.Y., in his capacity of Member of the 40th and 41st National Assembly, for alleged harassment, degrading and discriminatory statements on the media. The grounds referred were religion, political affiliation, and social status; therefore, the case was considered as multiple discrimination. It was investigated by a five-member panel. Having considered the collected evidence, the CPD panel established the existence of harassment. As a result, it imposed an administrative sanction to the perpetrator (a fine amounting to BGN 250). The CPD prescribed to Y.Y., Member of Parliament, to refrain in future from statements having the purpose or effect of violating a person's dignity, or creating a hostile, degrading, humiliating or intimidating environment. The CPD instructed Y.Y. to publish the decision at his expenses. It also determined a 15-day period for feedback on implemented mandatory instructions, where the perpetrator had to inform the CPD in writing on the instructions' implementation.

111. In 2013, the CPD delivered an opinion for Decision 121 on case file 34/2012, regarding the title on the front page of a sports newspaper "Italian, Swede and two niggers in CSKA". The case file was initiated by CPD's self-referral. CPD's Ad-Hoc panel established that the sports newspaper owner and editor had made direct discrimination, prohibited by law, on the basis of the protected ground "race" (colour) within the meaning of Art. 4, para. 2 in connection with § 1, p. 6 PaDA, which is a violation of the ban under

Article 4, paragraph 1 of the PaDA. In the decision, CPD refers to the main source in the field of racial discrimination – Article 4 and Article 5 of the UN International Convention on Elimination of all Forms of Racial Discrimination (ICERD). CPD recommended that, pursuant to Art. 47, Para. 6, the national sport newspaper owner shall adopt internal rules to prevent and avoid acts of unequal or less favourable treatment, including relevant penalty provisions

112. In 2014, CPD established Decision 283/2014 on case file 126/2013 based on a signal by an NGO in regard to the Roma ethnicity. The signal was based on on-line comments that were "damaging the prestige and dignity of the Roma ethnic community in Bulgaria, inciting discrimination, and some open calls for violence and hatred against the Roma ethnic minority." The signal of the NGO stated that: "This kind of discussion is perceived by the Roma as harassment and intimidation and delivers feelings of insecurity, humiliation, fear, and alienation from society. Comments against Roma Bulgarians emphasize on the non-Bulgarian origin of Roma and inspire readers that Roma constitute a danger to the social security of the state." The First specialized Panel found that the defendant's inaction regarding comments with frankly discriminatory content published on the Site constituted a violation of art. 5 in conjunction with Art. 4 para 1 PaDA on the grounds of ethnicity. Decision 283/2014 was delivered. It ruled existence of discrimination and infringement of PaDA. The CPD imposed a sanction and a compulsory administrative measure – an obligation to publish Decision 283/2014 on the media website without editing at the expense of the company.

113. The CPD has delivered several decisions in that regard, notably on case-file 53/2008 of Five-member Panel (Large chamber). CPD delivered mandatory instructions to the respective authorities to organize regular trainings of their staff on antidiscrimination and multiculturalism. Other decisions are as follows: 63/2009 – on alleged discrimination during an adoption procedure (the accused NGO for referring to a child as a "negro adopted by a Bulgarian family" and the State Agency for Child Protection were advised to take into account the PaDA and to have personnel trained on anti-discriminatory procedures); 212/2010 – concerning a Nigerian football player, who claimed to had been assaulted on racial reasons. The complaint was left without further motion, but resulted in a proposition for legal amendments to the Penal Code. Other cases are on the CPD's website.

114. In 2014, a couple of complaints were delivered to CPD regarding the right to education and the negative speaking of local citizens and a local Mayor towards children refugees from Afghanistan and Somalia, regarding their attending in Bulgarian schools. A self-referral was initiated in CPD on the ground of nationality and origin. The case is under investigation.

General integration policy

115. The Bulgarian authorities are firmly committed to the improvement of the situation of Roma. This is being done by shared efforts and proportional responsibilities between the Government, the Roma communities and their leaders, and with the assistance of NGOs, involved in Roma integration. The Bulgarian authorities recognize fully the European dimension of the issue of Roma inclusion. They consider their efforts as part of the common European policy in this regard.

116. According to the main strategic documents for Roma integration into Bulgarian society and overcoming the inequalities and discriminatory practices, of particular importance is the application of horizontal (mainstreaming) approach. This assures that the needs, concerns and rights of Roma are integrated into the general and sectoral policies and measures. It also creates conditions for equal opportunities, equality and equal participation of Roma in the social, economic and political life. Simultaneously, it is also necessary to undertake temporary incentives (positive action) in various sectors of society, whereby not

only to overcome existing inequalities and inequities of the Roma, but also to prevent future ones.

117. The Ministry of Labour and Social Policy, as a beneficiary of the project "Development of Comprehensive Measures for Integration of the Most Marginalized Communities among Ethnic Minorities, with a Focus on Roma", supported the strategic approach for integration of ethnic minorities by identifying the most needy among them. This is based on territorial criteria (mapping) and specific problems in key areas of integration policy, such as health, education, employment, incomes and living standards, housing, equal opportunities and non-discrimination, etc. There are targeted measures for their integration. The powers of the responsible institutions at national and local level for their implementation have been increased.

118. There is already a Concept, containing a complex of measures for integration of the most marginalised communities among the ethnic minorities. The focus is on the Roma. That Concept introduces special measures addressing the most vulnerable segment of those communities.

119. A Guidebook was published with practical guidelines for planning and implementing specific measures at Municipal level.

120. An agreement for the Thematic Fund "Social Inclusion of Roma and other vulnerable groups", under the Bulgarian-Swiss co-operation programme, was signed in 2013. The main purpose of the document is to support Bulgaria in the promotion of social inclusion of Roma in the implementation of the National Roma Integration Strategy of the Republic of Bulgaria (2012-2020).

121. Another agreement was signed for implementation of the Programme "Public Health Initiatives", financed by the Financial Mechanism of the European Economic Area and the Norwegian Financial Mechanism.

122. Since 2013, 6 Bulgarian municipalities, namely, Varna, Shumen, Sliven, Tundja, Maglizh, Biala Slatina, have been included in a joint programme of the European Commission and of the Council of Europe ROMED2/ROMACT. It aims to support strengthening the capacity of both local institutions and the Roma communities. In these municipalities, pilot action plans until 2020 have been developed in implementation of the Strategy.

123. Regularly, NCCEII supports NGO activities by funds from the State budget, related to the implementation of the National Strategy of the Republic of Bulgaria for Roma Integration. There is regular support for activities of other ethnic groups as well. The aim is to preserve their cultural identities. Annually, support is provided NGOs initiatives and activities.

Right to security of the individual and protection by the State against violence or bodily harm

124. The police, as a specialised institution in service to society, has the main task to provide guarantees for citizens to exercise freely their constitutional rights. The police's function is to contribute to the protection of human rights by maintaining the public order, preventing, and solving crimes. In fulfilling his/her professional obligations, the police officer respects the dignity of every person and under no circumstance performs, provokes or tolerates any act of torture, inhuman or degrading treatment or behaviour.

125. When exercising their legal powers for guaranteeing the rule of law and security in the public places, the police authorities are obliged to respect the dignity of the citizens, respect their rights and lawful interests and to take the necessary measures to guarantee their personal safety. In this context, the protection of the rights of the minority groups is

one of the main tasks of the police. This protection involves also protecting representatives of the minority groups from intolerant behaviour.

Measures against unlawful acts by police servicemen

126. *Instruction* of the MoI explicitly forbids the use by the police officers of physical force, auxiliary tools or weapons against detainees, except in cases explicitly envisaged in the Ministry of Interior Act. No actions by the police authorities should include perpetration, instigation or toleration of any act of torture, inhuman or degrading treatment or punishment, or act of discrimination against detained persons.

127. Immediately upon arrest, detained persons are to be informed about the detention grounds and the respective responsibility provided by the law as well as about their rights to adequate medical assistance, to legal counsel - either as a free choice or under the Legal Aid Act, to appeal before the Court their arrest, to request the notification of another party of the arrest; the right to visitors or receipt of parcels and food; request for notification of the relevant consular authorities, if the person is an alien; request for provision of a translator or interpreter, etc. The same procedure applies to officers of the military which is regulated by special guidelines.

128. Necessary practical measures are also being taken by the MoI in order to address the root causes of violations of the law by the Police, in particular police brutality, and prevent their recurrence in the future. For instance, a special registration system for complaints of alleged ill treatment by police officers has been introduced and is closely monitored.

129. With reference to allegations of excessive use of force by the police, the Prosecutor's Office has analyzed in detail the relevant judgments of the European Court of Human Rights in cases against Bulgaria. Within its competences, the Prosecutor's Office has taken measures for elimination of the violations, such as shortening the time limits for examination of cases in the pre-trial phase, strengthening the administrative capacity of the Prosecutor's Office to counter cases constituting police brutality, reporting by the administrative heads of the cases of detained persons, outlining measures for their prompt and expeditious completion, training magistrates in the European Convention on Human Rights etc.

130. Special emphasis is given to the strengthening of the capacity of the Prosecution Office in exercising supervision over the activities of the police authorities in order to prevent excessive use of force by the police, as well as the enhanced supervision of cases concerning police brutality.

131. There is an Inspectorate Department under the Supreme Cassation Prosecutor's Office; similar control bodies (inspectorates) also operate with appellate prosecutors' offices around the country. These perform inspections in relation to incoming violation reports or established omissions or irregularities. The results of monitoring, as well as of disciplinary inspections of the performance of duties of service, are summarized and analysed, and the relevant proposals are submitted to the Prosecutor General for adoption of disciplinary and other punitive measures.

132. Data from the Prosecutor's Office on investigations on cases of alleged police violence, pre-trial proceedings, convicted and acquitted persons for the 2008-2014 period can be accessed in Annex 3.

133. Victims can seek compensations through the Assistance and Compensation to Crime Victims Act and the National Council for assistance and compensation to victims of crime. They are entitled to free legal aid and compensation after the criminal and civil proceedings.

B. Article 4

Amendments of national legislation regarding discrimination grounds

134. The National Security Strategy of the Republic of Bulgaria, adopted by the National Assembly on 25 February 2011[8] places the citizen in the centre of the national security policy. Issues related to the economic development of the country are brought up to a foreground position together with the issues traditionally considered as belonging to the social domain. These cover activities with direct impact over the integration of citizens belonging to vulnerable and marginalized groups. In paragraph 123, the National Security Strategy explicitly points out that "the State, in collaboration with the citizens and their organizations, plans, organizes and carries out activities to repress the usage of hate speech and to counteract on all acts of xenophobia, ethnic, religious or other types of intolerance".

135. The following major amendments to the PC were made:

- Enhanced sanctions were introduced and the scope of the provisions in section "Crimes Against National and Racial Equality", Article 162, paragraphs 1 and 2 was extended. In particular, under Article 162, paragraph 1, a person who through speech, press or other media, through electronic information systems or in another manner propagates or incites discrimination, violence or hatred directed on the basis of race, national or ethnic origin shall be punished by deprivation of liberty from one to four years and a fine, and by public censure.
- All acts of violence or incitement to such acts against persons or groups of persons because of their race, descent or national or ethnic origin is qualified as an offence punishable by law. The provisions of paragraphs 3 and 4 of Article 162 establish as a criminal offences the formation, leadership and membership in an organization or group aimed at commission of public incitement to discrimination, violence or hatred on the basis of race, national or ethnic origin, and violence on the basis of race, national or ethnic origin, religion or political belief.
- Article 163, provides that a person who takes part in a crowd rallied to attack groups of the population, individual citizens or their property in connection with their national, ethnic or racial affiliation, shall be punished.
- Article 164, paragraph 1 was supplemented in order to completely implement the standards of the Council Framework Decision 2008/913/JHA by criminalizing the incitement to discrimination and violence on religious grounds as well. The provision provides that a person who propagates or incites to discrimination, violence or hatred on religious grounds through speech, press or other media, through electronic information systems or in another manner shall be punished by deprivation of liberty of up to four years or by probation, and a fine from BGN five thousand to ten thousand.
- A new Article 419a was introduced whereby the acts of condoning, denying or grossly trivialising crimes against peace and humanity, when the conduct is carried out in a manner likely to incite violence or hatred against a person or group of persons defined on the basis of race, colour, descent, religion, or national or ethnic origin, were qualified as criminal offence.
- Racial and xenophobic motivation, were introduced as qualifying circumstances in the elements of crime in the commission of homicide (Art.116, para.1 (11) and

[8] Promulgated in State Gazette No. 19 of 8 March 2011.

bodily injury (Art.13 1, para.1 (12)): thus more severe sanctions were provided for these offences when committed because of racial and xenophobic motivation.

- The PC declares as illegal and prohibits organizations, as well as organized and all other propaganda activities, which promote and incite racial discrimination, and recognizes participation in such organizations or activities as an offence punishable by law.

136. In April 2010, a new Paragraph (3) was added to Article 55 of the CPC expressly granting a new right to the accused: "A defendant who does not speak Bulgarian, shall have the right to interpretation and translation in criminal proceedings in a language he/she understands. The defendant shall be provided with a written translation of the decree for bringing the accusations, of the court rulings for a constraint measure, of the act of indictment, of the judgment delivered, of the decision of the Court of Appeal and of the decision of the cassation instance. A defendant shall be entitled to refuse written translation pursuant to this Code where he/she has a defence counsel and his/her procedural rights are not being violated."

137. CPC was amended providing additional right to make requests, notes and objections was provided for the victims of crime.

138. Thus at present Art.75, para.1 of CPC stipulates that "in the pre-trial proceedings the victim shall have the following rights: be informed of his/her rights within the criminal proceedings; obtain protection with regard to his/her personal safety and the safety of its relatives; be informed of the progress of the criminal proceedings; take part in the proceedings in accordance with the provisions of this Code; make requests, notes and objections; file appeals with regard to the acts resulting in the termination or suspension of criminal proceedings; have a counsel".

139. By the above amendments it was explicitly provided that "the authority which initiates the pre-trial proceedings shall immediately inform the victim thereof, if the latter has specified an address for service in Bulgaria" (new paragraph 2 of Art.75 CPC). In addition, the amendments provided that, the victim's rights shall arise upon his/her explicit request to participate in the pre-trial proceedings, indicating an address for summoning in the country.

140. In compliance with the international standards, the Bulgarian law has explicitly stipulated that the extradition must be refused if the persons concerned (including non-citizens) are at risk of being subject to human rights abuses, including torture and cruel, inhuman or degrading treatment or punishment in the requesting country. Under Art.7 of the Extradition and European Arrest Warrant Act, extradition is refused where it is for the purpose of prosecuting or punishing a person because of his or her race, religion, nationality, ethnicity, sex, civil status or political opinion or it is determined that there is a risk that the person's position may be prejudiced for any of these reasons (para.4), as well as where the person will be subjected in the requesting State to violence, torture or to a cruel, inhuman or degrading punishment, or his/her rights in relation to the criminal proceedings and the enforcement of his/her sentence are not guaranteed in accordance with the requirements of international law (para. 5).

141. Article 6, paragraph 2 of PaDA stipulates that in the course of elaboration of drafts of normative acts, as well as of their implementation, the State and public bodies and the bodies of local self-government shall take into account the goal of preventing any direct or indirect discrimination on the grounds under Article 4(1). Legal definitions of 'harassment" and "racial segregation" were introduced.

C. Article 5

Access to public service

142. Social services are part of the social assistance system in Bulgaria, which has a clear and explicit anti-discrimination view in the Social Assistance Act (SSA). According to Art. 3 of the Act in implementation of social assistance and provision of social services shall be excluded any direct or indirect discrimination on the basis of sex, race, skin colour, ethnic identity, citizenship, political or other convictions, religion or faith, disability, age, sexual orientation, marital status or origin, membership of trade union and other public organizations and movements. In addition clear, precise and universal rules based on objective criteria and requirements that ensure prevention of any discrimination are set to all potential beneficiaries.

143. Social services are developed based on the developed regional and municipal strategies and plans, which is a reflection of direct responsibility and commitment to the territorial government and local authorities regarding the effective management of services and interest in accordance with the real needs of people. The national legislation stipulates that the social services are performed in specialized institutions and in the community.

144. Community based social services are services provided in a family environment or in a similar to family environment. Such are personal and social assistant, domestic assistant, day care centre, centre for social rehabilitation and integration, centre for family-type placement, temporary accommodation centre, crisis centre, transitional housing, sheltered home, supervised housing and other shelter. The main objective of this type of social services is to provide quality care in an environment as close to the family, for a small number of users, for whom at the current time is not possible to be raised in a family.

145. Specialized institutions are boarding type homes in which people are separated from their home environment. Social services in specialized institutions are provided after exhausting the possibilities for services in the community.

146. It should be noted that the system of social services in Bulgaria is open and allows expansion and improvement of the types of provided services, so to be able to give the best respond to the specific community needs. Bulgaria's social services system has significantly expanded during recent years thanks to the reforms aimed at improving the planning, deinstitutionalization and provision of social services provided in the community and within the family. With a view to improving the planning, management, financing, quality and efficiency of social services a special Social Services Act is under preparation.

147. The development of SSA is one of the measures set out in the Government Programme 2014-2018. Its main objective is to improve the regulatory framework in the field of social services with a view to improvement planning, management, financing, quality and effectiveness of the social services, as well as of the conditions for their delivery by private providers. A working group for the development of the draft act was established whose main task is to prepare the necessary proposals for amendments.

148. Key objective of the future changes in the SSA will be the support for development of social services in the community which have a preventive character regarding the risk of placement in institutions, increasing the capacity of the employed in the field of social services and development of integrated cross-sectoral services. In this regard, continuing the reform in the field of long term care for elderly people and people with disabilities, in compliance with the National Strategy for Long-Term Care adopted in 2014 is an important focus of the policy in the area of social services.

Labour market policies for ethnic minorities

149. In 2008, the Employment Agency, through its Labour Office Departments (LOD), started implementation of the program "Activation of inactive persons. The prerequisites for implementation of the program are the large number of inactive persons in the labour market, according to the Labour Force Survey of the National Statistics Institute. The main objective is to activate and to include in the labour market of inactive and discouraged persons by motivating them to register as jobseeker, and to use the mediation services provided by LOD for employment or enrolment in training.

150. Most of the persons included in the program are members of the Roma community who have no or have low education and skills. The activities of the mediators are to provide intermediary services in LOD and to work among the Roma community. Specific activity of mediators in the community consists in organizing and conducting information campaigns "Come and register in LOD", conducting individual and group meetings with inactive persons on the spot as well as meetings with representatives of NGOs, social partners and employers. At the present 57 mediators are working in 52 LOD.

151. As a result of the implementation of the program at the end of 2014, in the labour offices are registered 10,923 inactive and discouraged people. Of them, 5 423 are women, 2 104 – young people under 29 years of age and 5883 – persons with less than primary education.

152. Local Labour Offices in Bulgaria hold annual meetings with Roma leaders and organizations to support the labour market integration of the persons from the community. Special attention has been paid to the unemployment among the Roma young people – in the framework of the national plan for execution of the European Youth Guaranty different incentive measures, motivational trainings; internships, etc. have been included.

153. The Employment Agency develops and implements annual plans for assisting the integration of Roma people according to the aims and tasks of the National Roma Integration Strategy.

Year	*Unemployed Roma, covered by employment services*	*Jobs provided*	*Unemployed Roma, included in activities on raising employability and skills*
2009	25 016	17 682	7 334
2010	17 958	12 159	5 767
2011	16 914	10 889	6 025
2012	21 663	11 478	10 059
2013	24 065	14 670	9 928
2014	28 059	13 108	14 937

154. Since the middle of 2011, a programme "Take Your Life in Your Own Hands" has been implemented, directed to the non-active unemployed persons from the most vulnerable groups of the population. The most important activities fulfilled being: professional training and education for acquisition of key competencies; submitting mediator services to ensure possibilities for internship with an employer; those who have completed successfully their education are included in an internship programme, etc. At the end of 2013 a total of 3341 persons were included in education courses. 3 018 completed their studies successfully, from them 1 123 acquired a job. The number of those who

completed professional training successfully is 1 111. The quota of women is predominant and they comprise 70% of the persons included in the programme.

Health

155. The Bulgarian Government's policy has been aimed at creating better conditions and ensuring equal access of all citizens to health services, regardless of their gender, age, ethnic origin or social background. Particular attention has been paid to the improvement of health care for disadvantaged groups. The Republic of Bulgaria has applied a health strategy for disadvantaged persons as part of the National Health Strategy. The Ministry of Health, Regional Health Inspectorates, General Practitioners, mediators and NGOs have been involved in the implementation of the health strategy. Some of the activities under the strategy have been carried out with the help of 23 mobile units. The medical examinations conducted have been preceded or accompanied by on the spot talks on topics related to contraception, sexually transmitted infections, breast cancer, healthy nutrition, immunisation, patients' rights, opportunities for social support, and the role of health mediators.

156. Three projects related to improving the health of disadvantaged persons belonging to ethnic minorities have been implemented within the PHARE Programme. The project "Survey of the Minorities' Health Profile" assesses the health status of Roma and their access to health care in 15 bigger cities of Bulgaria. The results of this study have been serving as a basis for developing the Health Strategy for disadvantaged individuals belonging to ethnic minorities.

157. The competent authorities continued their activities on development and approval of a Program and detailed Action Plan for screening and early diagnostics of tuberculosis, cardiovascular, cancer and hereditary diseases. They are targeted at disadvantaged minorities. They are also involved in the implementation of existing national prevention programs and mechanisms for comprehensive health promotion and preventive health campaigns at local level.

158. Health and labour mediators, mainly representatives of the Roma community, are working at municipalities and Labour Offices. Mediators are the bridge between the public sector and the Roma community. The profession of health mediator is institutionalized in Bulgarian legislation, and the state budget provides their salaries for delegated activities.

159. The Ministry of Health (MH) and its 28 regional structures, in cooperation with more than 50 NGOs, has been implementing a National Program for Prevention of **HIV and STIs** (2008–2015 г.) and a Program "Prevention and Control of HIV/AIDS", financed by the Global Fund to Fight AIDS, Tuberculosis and Malaria (GF). With the MH funding, modern diagnostic kits have been supplied for testing HIV, virus hepatitis B and C, syphilis and other sexually transmitted infections. Those services involving the youth are provided, free of charge and anonymous, for HIV and STI testing and consultation. A network of 19 easily accessible Voluntary Counselling and Testing Centres is available in 15 cities in order to provide medical consultations for HIV and STI. The scope of such services has been expanded involving 17 additional mobile medical consulting rooms. A network of 18 youth NGOs with more than 1 000 trainers has been set up, on the principle of "peer-to-peer training", for the provision of free services.

160. The National HIV / AIDS and Tuberculosis Programmes are an important element of long-term policy of the MH in ensuring equal access to prevention, diagnostics and treatment for all in need, regardless of health insurance and social security status.

161. A major achievement of the national programs for prevention and control of HIV, STIs and tuberculosis is the capacity building of the community itself. It allows the latter to provide services and also to participate actively in policies at national level by nominating

their representative on the National Coordination Committee to fight AIDS and Tuberculosis.

162. Concerning the improved access of Roma to medical services, preventive medical checks are carried out on the spot in settlements and quarters where Bulgarian citizens of Roma origin and without health insurance live. This is provided by means of the 23 mobile medical units under three consecutive projects under PHARE Programme. They are as follows: 5 units for general preventive medical checks, 2 radiological units, 2 mammography units, 3 units for ultrasonography checks, 3 units for laboratory tests, 4 units for paediatric checks, and 4 units for gynaecological checks. In 2011 and 2012, the mobile medical care practices were used to carry out a total of 23 190 examinations and analyses. In 2013, there were 11 444 examinations and analyses. Furthermore, 905 children aged 0-18 with incomplete immunisation status were immunised, in accordance with the National Immunisation Calendar. All children and persons with established diseases during the checks and tests were referred for treatment to relevant specialists.

Education

163. The National Strategy for Roma integration places **education** first among the priority areas of the integration policy. The state provides equal access to education for all children up to the age of 16. In order to ensure access of all children in pre-school education policies, measures and actions of the strategic documents on education are implemented. Emphasis is placed on the importance of pre-school education, especially in the period of compulsory school preparation. The aim is to form a positive attitude to learning and create motivation to learn. The focus in this respect has also been placed on children living in an environment where education is perceived as a value. Specific policies and measures are being implemented, in order to prevent dropping out and early school leaving. They are aimed at education and care in early childhood, as well as at overcoming separation of children and students by ethnicity.

164. The existing regulation in the pre-school education and school education establishes conditions for all children and students, regardless of their ethnicity to have equal access to education. The programmes for early childhood development and pre-school education have been expanded with the purpose of becoming more accessible to more children.

165. In addition to the information provided in previous reports, attention should be drawn to Regulation No 6 (2002) of the Minister of Education and Science (MES). It explicitly forbids the enrolment of students with normal intellectual capabilities in establishments for children with disabilities. Moreover, in 2007 – 2009, the CPD with the NGO Project "Human Rights" carried out 22 verification check-ups. It issued a decision concerning the established discriminatory practices in the activities of some enrolment commissions in the field of education. Directions were enforced specifically concerning the MES and the State Agency on Child Protection to strengthen prevention and undertake special measures to eradicate the negative consequences of the above-mentioned practices.

166. Under the national legislation, children and students with special educational needs are to be integrated in mainstream education. This is a long-term activity coordinated by the MES and aiming to change the philosophy behind specialized schools. Children with special educational needs are educated in public schools and receive extra support, whereas specialized schools are for children with severe mental illnesses and multiple disabilities.

167. In order to create conditions for equality and adaptation of children and students of Roma origin in the educational environment, the following measures have been taken:

- Carrying out a joint control together with non-profit legal entities on the enrolment of children without impairments in special schools.

- Controlling enrolment in kindergartens and schools in order to prevent separation by ethnic origin in groups and classes.
- Specialized activities of school psychologists and pedagogical advisors to facilitate mutual adaptation of Roma and other children and students in new educational environments.
- Activities in kindergartens and schools aimed at building positive attitudes towards better educational integration of Roma children.
- Conducting seminars and other forms of training for parents to overcome negative stereotypes and build tolerant interrelations.

168. The Centre for Educational Integration of Children and Students from Ethnic Minorities funded 28 different projects encouraging the integration of children and students from the Roma community. The main beneficiaries have been municipalities, educational establishments and NGOs from small settlements, including of Roma. The Centre develops, finances[9] and supports projects, focusing on equal access to quality education for children and pupils from ethnic minority groups. Since 2011, under the programme "Educational Integration of Children and Pupils from Ethnic Minorities", 118 projects have been adopted with the aim to cover 6700 children and pupils and 1600 parents by the end of 2013.

169. In recent years, more than 4 000 Roma children of compulsory school age have been removed from schools in separate all-Roma neighbourhoods and have been successfully integrated into mainstream schools and classes outside such areas. The process of integration of Roma pupils into mainstream schools and classes is supported by special assistant teachers. Over 4 500 teachers have passed short training courses and have acquired the skills to work in a culturally diverse educational environment. The PaDA stipulates that the prevention of all forms of discrimination is an obligation for each and every teacher.

170. The State Agency for Child Protection has developed a model for local level interaction. It concerns primarily children not covered by the educational system, including those of Roma origin, with the objective of returning them to school. The model is submitted to the MES for implementation together with local authorities. Students have participated in measures focused on the prevention of school dropouts within projects implemented under the scheme "Educational integration on children and students from the ethnic minorities" under the Operative program "Development of Human Resources" (OP DHR).

171. The aim of the activities under the scheme "Reintegration of dropout students in the educational system" under the OP DHR is the reintegration of already dropped out students and the prevention of dropping out again in the future. In 2014, under this scheme, 21 383 dropped out students were integrated in the educational system.

172. The national programme "School without Absences" was introduced in 2012. Its purpose is to reduce the number of absences by recording them correctly in the school documentation, to take genuine and effective measures for motivating the students to attend regularly school classes and to attract the parents as partners in relation to school life. The national programme supports the schools, which implement their own strategies for reducing the number of absences and for overcoming the early dropping out of school.

[9] During the 2012/2013 school year the Center has supported 23 projects for educational integration of pupils from ethnic minority groups.

173. A project has been developed, aimed at creating a Strategy for Prevention and Reduction of the Number of Students Who Drop out or Leave the Education System Early. It envisages policies and key measures to prevent premature dropping out of school. It also provides for the creation of a Coordination Mechanism for improving the control over all sectoral policies. This is specifically related to the provision of coverage and keeping children and students in school until the end of their education.

174. Concrete activities have been launched with the aim of combating illiteracy and educating persons from minority groups, who are more than 16 years of age and uneducated. "Literacy Training for Adults" Programme is directed to uneducated persons with low level of schooling, who have turned 16 and have no status of students. The goal is, by means of education and acquisition of key competencies, to facilitate the future access of these persons to comprehensive and professional education and their more competitive participation in the labour market, respectively.

Housing

175. For the realization of priority "Housing conditions", under the National Strategy for Roma Integration, a support scheme was made for provision of modern social housing for vulnerable, minority and socially disadvantaged communities and other vulnerable groups. There are also contracts with three municipalities, the aim of which is to accommodate representatives of disadvantaged groups, including Roma.

176. In the period 2012-2014, projects for construction/reconstruction of social, educational and cultural infrastructure were implemented. A total of 606 buildings were reconstructed, 1 009 551 people benefited. 71 507 of them were Roma.

177. An important aspect in aiding marginalized groups is the scheme "Support for provision of modern social housing to accommodate vulnerable, minority and socially weak groups of the population and other groups in disadvantaged position". The main objective of the scheme is to contribute to the social integration by means of raising living standards, and generally improving the quality of housing for people in disadvantaged and vulnerable urban communities in four municipalities. As a result, 83 buildings were reconstructed and 180 homes were constructed. A total of 905 representatives of vulnerable groups benefited, including Roma.

178. Another scheme, "Integra", aims to contribute to improving quality of life and long-term integration of most marginalized communities through an integrated approach. Eligible activities under the scheme are divided into the following priorities: "Access to employment", "Access to education", "Social Inclusion", and "Measures for permanent desegregation".

179. There is also a pilot model for integrated interventions. It includes support to marginalized groups of the society, including investments for social housing and measures to ensure better access to the labour market, social and health services. This model has been reported as a good example of coordination and complementarities between the two programmes, namely, Regional Development and Integra. It is to be upgraded during the period 2014-2020 with special attention for the provision of modern social housing for vulnerable, minority and socially disadvantaged groups.

Culture

180. In conformity with article 5, letter "e", item 6 of the Convention, the Ministry of Culture (MC) has been carrying out its overall policy, while observing the principles of democracy, freedom of artistic work, equality of artists and cultural organisations.

181. The Bulgarian authorities have supported 3 575 community centres to preserve cultural identity, through a state subsidy under the National Community Centres Act. About 1 000 of them have attracted representatives of minority groups within their structure. People from minority groups also participate in their events. The State has additionally financed theatre activities of different ethnic groups. The museums and public libraries also work actively for preserving the cultural identity.

182. Community cultural clubs maintained by the **Armenian, Jewish, Roma, and Turkish** communities receive State subsidies. Financial assistance was provided for various cultural events, educational projects, and extra-curricular education programmes. The temples of the Armenian Apostolical Church in Plovdiv, Varna, Ruse and Silistra have the status of cultural heritage and are financially supported by local authorities. Armenian is studied as mother tongue in Sofia, Plovdiv, and Burgas. There are two municipal schools in Sofia and one in Plovdiv for pupils of Armenian origin studying Armenian.

183. The activity of the MC aims at both protection of the rights of the artists and the consumers of culture and creation of conditions for their equal participation in cultural life. The main priority in cultural policy is the protection of cultural diversity. Minority cultures are recognized as an integral part of national culture.

184. The improvement of legislation in the field of culture continues with the new Cultural Heritage Act and a Performing Arts Act.

185. In 2009, a directorate was established within the new structure of the MC. Its functions include supporting cultural diversity under the unity of national culture. It promotes international cultural exchange as the main approach, along with national and supranational dialogue, mutual understanding, cooperation and tolerance among different cultures.

186. Publicity is part of the MC's policy to promote accessibility. It includes involving of citizens and civil organizations in the decision making for cultural processes.

187. The MC develops programs for financial support of cultural initiatives and creative projects. They all are on a competition basis and under certain rules. The programs aim at developing projects of museums and galleries, public libraries, theatres, community centres and NGOs (including representatives of the ethnic communities in Bulgaria). The contents of the programs and the work of the commissions assessing the projects conform to the principle of promotion of cultural diversity.

188. For example, the Program for Development of Amateur Art offers great opportunities for representatives of ethnic communities to develop activities for preservation of their specific culture. They can also develop the communities' creative potential in order to help some of their representatives become professional artists.

189. This program is also part of the MC's policy for support of community centres. They have established themselves as local centres for bringing people together and creating natural conditions for preservation and exchange of traditional values. In this way, people gain knowledge of each other and advance tolerance.

190. The protection of cultural diversity is manifested in the National System "Live Human Treasures" It was set up in 2008. Its aims are the protection of the bearers of intangible cultural heritage, including ethnic cultures. An integral part of the system is the Public Register of Intangible Cultural Heritage, which contains all elements of traditional culture of ethnic communities in Bulgaria.

191. The MC has a national network of cultural institutes. Their main mission is to preserve cultural heritage in its diversity. They also aim to ensure equal access to the

achievements in the cultural field. They provide opportunities for creative expression, and counter prejudices and promote the philosophy of understanding and tolerance.

192. The Bulgarian National Television broadcasts news in Turkish language. It is the language of the largest ethnic minority group in Bulgaria. The news in Turkish started in the beginning of 2000. It follows after the 4 PM news in Bulgarian every working day. BNT also hosts the program "Brief Stories" that gives priority to Roma topics and social problems. The Bulgarian National Radio also broadcasts in Turkish language via its programme "Radio Bulgaria". The BNR Programme "Hristo Botev" has been broadcasting a program, "Familiar and Unfamiliar" for the last 15 years. The emphasis is on the cultural cooperation amongst ethnic groups, minority groups and other groups (people with disabilities, LGBT, and others).

D. Article 6

Protection against discrimination

193. The statutory framework of social relations connected to discrimination can be briefly summarized as follows: **the principle of equality and non-discrimination** is regulated by the country's Constitution and the Penal Code, as well as by a number of other instruments of primary and secondary legislation.

194. The Bulgarian authorities consistently combat stereotypes and prejudices, if and when such are manifested against persons belonging to ethnic, religious, linguistic or sexual minority groups. The Bulgarian authorities closely monitor all alleged manifestations of racism and intolerance against any person on the territory of the State. When necessary, they resolutely take steps to punish such acts.

Refugees and individuals seeking international protection

195. Since 2013, Bulgaria has been facing an increased pressure by mixed migration flows. The measures taken, have allowed Bulgaria to contain the emergency situation and to avoid its turning into a real crisis. The living conditions in all existing accommodation places are being constantly improved.

196. On 10 June 2015, the Bulgarian Government adopted a National Strategy on Migration, Asylum and Integration for the period 2015-2020. It is aimed at creating a comprehensive and stable legal and institutional framework for the proper governance of legal migration and for the prevention of illegal migration, for integration of and care for the persons seeking international protection, and those who have been granted asylum or refugee status in Bulgaria.

197. There is an electronic registry for immediate registration of persons with special needs, vulnerable and unaccompanied minors. Assistance has been provided to families with children. Free legal consultations and assistance has been provided to all foreigners seeking protection. A mechanism for accelerated transfer of foreigners from vulnerable groups to the State Agency for Refugees has been established. Interpreters in/to rare languages have been provided, including, in case of necessity of medical and psychological consultations.

198. Having received a refugee status, asylum-seekers acquire equal rights with those of the Bulgarian citizens in the field of employment. The State Agency for Refugees has organised the following events: vocational training after successful completion of Bulgarian language courses, necessary to obtain professional qualification degrees; information meetings for mediation services and specialized job fairs for direct marketing and

negotiating jobs between employers and refugees; joint projects with NGOs, volunteers and academic communities, aimed at cultural adaptation and social orientation.

199. Foreigners who have been granted permanent residence receive medical care on an equal footing with Bulgarian citizens.

200. The Asylum and Refugees Act and the Public Education Act guarantee that children of refugees and migrant workers can attend Bulgarian schools under the same conditions as Bulgarian children. Refugees acquire knowledge in the Bulgarian language, in culture and professional training. Thus, they enjoy a social protection package. Information on the integration process is available in English, Arabic, Persian and Dari.

201. Media campaigns have been started for the creation of a favourable environment, supportive of the integration of refugees. In 2013 and 2014, joint declarations of the President and the Prime Minister of the Republic of Bulgaria were presented, aimed at identifying measures against xenophobia and racial hatred.

E. Article 7

Education and trainings

202. The CPD has implemented youth projects aimed at providing information, non-formal learning and skills for youth (aged 13-23) and youth workers, educators and university tutors. The purpose is to combat discrimination, racism and intolerance. In 2009-2011, the CPD has implemented a joint project entitled "Discrimination-Free Schools" with the Danish Institute on Human Rights. Under the project a training package was produced on human rights and tolerance, combating racism, xenophobia and discrimination.

203. The CPD has established the practice of holding Annual Legal Workshops for legal practitioners (civil and criminal profiles). The aim is to provide them with skills and knowledge in order to apply antidiscrimination legislation under ECHR and ECJ standards. In 2010, a detailed Training Module was developed. It was provided to the National Institute for Justice for specialized training of magistrates.

204. Since 2007, CPD has drafted, published and disseminated three Compendiums of case-law in application of antidiscrimination law. They represent good domestic case-law and practice which give valuable guidelines in discrimination litigations.

205. The CPD has held trainings on non-discrimination and human rights for inspectors of the Juvenile Delinquency Rooms to the MoI. Those inspectors tackle offenses committed by minors, as well as offenses against minors.

206. The "You are not alone in violence" project was worked out in 2014. It is currently under revision. Its main targets are Roma women, women from other ethnic minorities, long-term unemployed and socially disadvantaged women, women from dysfunctional families, and young girls from such families, women with low income and no education, as well as young women in general. The project objective is for the CPD, in partnership with representatives of regional media, to organize seven regional campaigns to raise awareness of gender-based violence.

207. Pursuant to the National Action Plan for implementation of the National Roma Integration Strategy of the Republic of Bulgaria (2012- 2020) and the Decade of Roma Inclusion 2005-2015, in priority „Rule of law and non-discrimination", the structural units of MoI conduct professional on-the-job training of police officers on human rights and minorities issues.

208. These trainings are conducted with the aim of improving the work of police officers in a multicultural environment. They as follows: Human rights and necessary skills to work

with representatives of the Roma communities; Identification of problems of the public order and security in the local Roma communities; Traditions and culture of the Roma communities; etc. During the trainings, specific practical cases are solved based on the work of police officers in a multiethnic environment. A wide range of preventive activities and measures of the MoI have been taken, among of which are:

- Talks and discussions in schools and kindergartens attended by Roma children to inform them about their rights and obligations as citizens of the Republic of Bulgaria;
- Preventive discussions with persons of Roma origin who have effectively served a sentence of imprisonment, or who have been imposed with probation measures. The aim is to help them integrate in the society;
- Discussions to raise awareness among the Roma population on issues related to early (underage) marriages;
- Assistance for victims of domestic violence;
- Measures for countering antisocial behaviour and drug abuse and distribution among youth and minors;
- Measures against hooliganism and alcohol abuse;
- Regular checks, jointly preformed with officials from municipalities and directorates for social assistance in areas with compact Roma or other minority populations, related to address registrations, illegally residing persons, illegal buildings/structures, living conditions for juveniles and minors.

209. A project "Youth Civil Patrol" in municipalities with multiethnic population has been initiated by police inspectors and has been developed in partnership with the NGOs Open Society and World without Borders. The main objective of the project is improvement of order and security by attracting Roma youths to responsibilities related to public order protection, counteraction to crimes and conflict prevention.

210. Another project which has gained wide popularity and has achieved good results for building of trust between the police and the local communities and the provision of transparency of the police institution, is Civil surveillance In The Police. The practice of civil surveillance is based on the possibility for citizens to visit the detention facilities in the Regional police departments without prior announcement and to provide their statements with a view of taking measures for transparent and specific work of police officers.

211. Under the project "Prevention and limitation of antisocial acts performed by minors and under-age persons from the Roma community", the police have been working with problematic children of Roma origin.

212. In the MoI Academy, the training discipline Protection of Human Rights is taught as obligatory discipline in the bachelor courses and in the courses for initial training of MoI employees in the Police Faculty. The training programme for this discipline includes topics on legislation on the use of physical force, auxiliary devices and firearms.

213. The topic of hate crimes prevention has been integrated in the curriculum of the MoI Academy. A new discipline "Protection from Discrimination" has been introduced. A total of 109 573 officers have been trained.

214. In the organisation and conduct of different trainings, partners to the MoI are the following NGOs: Foundation Bulgarian Centre for Gender Research, Foundation for Community Cares Diva – Plovdiv, Association Demetra – Burgas, Centre Nadia, Open Society Institute, etc. With their assistance a number of seminars have been organized in this field.

215. A seminar on National practices for prevention and fight against discrimination in the Bulgarian society and the role of the MoI, has been conducted together with the CPD. Police officers have taken part in the training. The main emphasis has been on the following topics: International standards for protection against discrimination; Hate crimes and incidents – penal regime for sanctioning discrimination (interpretation of the elements of the crimes, distinction of the discrimination motif from the personal motifs, etc.); Often made unlawful mistakes; Practice of ECHR related to pre-trial proceedings.

216. Appropriate education and training in HR has been continuously provided by the **Academy of the MoI and the NIJ**. Employees of MoI have undergone training under the discipline of "HR Protection" to get acquainted with the decisions of the ECtHR.

Information to combat prejudices

217. In 2013 and 2014, more than 50 joint round tables on topics related to discrimination were held. The Regional Representatives of the CPD took part in many Roma cultural events. Information activities on how to signalize for discrimination and discussions with the active participation of Roma and non-Roma Youth and local official representatives were conducted. CPD, in cooperation with the NCCEII, organized a National High Level Round Table in Sofia on the topic: "The Rule of Law and Non-discrimination".

218. The CPD presents the Convention and the General Comments (translated in Bulgarian) on its website and in the respective training packages for annual trainings.

219. The current Bulgarian law framework protects personal inviolability. The radio and television channels are also obligated not to create or broadcast contents that incite national, political, ethnic, religious, and racial intolerance or praise cruelty and violence. Results of the radio and television broadcasts monitoring indicate that the majority of media services providers make everything possible to reflect objectively the subject matter relating to ethnic issues.

220. CEM has an established procedure for considering complaints received via post and electronic mail. The signals received have been associated with broadcasts arousing doubts for ethnic intolerance, various religious prejudices and practices.

221. In response to the received alerts, the CEM has taken various actions in accordance with the significance of each case. A focused monitoring of the indicated material has been performed to establish if there had been a violation of the Radio and Television Act. In case of established violation, administrative-penal proceedings are initiated. When necessary, the alert could be referred to another competent institution. For the period 2011 – 2014, CEM issued 22 administrative acts for violations of these rules.

222. Besides the practices relating to the protection of pluralism of expression and information, as well as combating various forms of discrimination, the CEM performs various prevention initiatives for the protection of human rights. They include: declarations and statements; special meetings with the management of television programs; strengthening existing law-based practices for the public operators and media services providers to produce programmes in the native languages of ethnic minorities.

223. In 2009, a discussion was held on the topic "Speech of Hostility and Language of Hatred in Electronic Media". It was organized by the CEM with the association of the Bulgarian Radio and Television Operators and the Union of Bulgarian National Electronic Media.

224. CEM representatives participated in a national seminar for journalists entitled "Diversity and Non-discrimination in the Media", organized by the CPD.

225. The process of fully integrating the Roma minority of the Republic of Bulgaria is still a major problem, which requires for the active participation by all state and municipal organisations, and the public at large, to continue in the future.